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Attorneys for Plaintiff Tiffany (NJ), LLC

THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIFFANY (NJ), LLC,)	Case No. CV 11-1563 MMC
a Delaware limited liability company,)	
)	
Plaintiff,)	
v.)	STIPULATION AND [PROPOSED]
)	ORDER FURTHER EXTENDING
MIKI BOUTIQUE, INC., a dissolved)	MEDIATION DEADLINE
California corporation, and MEI NG, an)	
individual, individually and jointly, d/b/a)	[Civ. L.R. 6-1 (a)]
YUKI BOUTIQUE and DOES 1-10,)	
)	
Defendants.)	

Plaintiff Tiffany (NJ), LLC (“Tiffany”) and Defendants Miki Boutique, Inc. (a dissolved corporation), and MEI NG (individually and dba Yuki Boutique) (collectively, the “Parties”), by and through their respective counsel, hereby stipulate and agree, upon order of the Court, as follows:

Whereas this case was originally filed on March 31, 2011, and the mediation cut-off date was October 8, 2011;

Whereas, this matter was set to be mediated on September 19, 2011 before Linda Kattwinkel, Esq., However, a few days before the mediation, Plaintiff’s counsel learned for the first time that Defendants’ insurance carrier intended to take the position that there would be no indemnity

coverage at the mediation and that defendant was having health issues;

Whereas, as a result, and with the consent of Ms. Kattwinkel, on September 19, 2011, the Parties sought additional time in which to mediate this case, to and including October 28, 2011, so that the parties could discuss and analyze the insurance issues prior to mediation (*see* e-docket no. 52). The Court granted that request on September 20, 2011 (*see* e-docket number 53);

Whereas, Plaintiff's counsel did not receive the formal insurance coverage determination letter until October 13, 2011. Thereafter the parties attempted to schedule mediation before the quickly approaching October 28, 2011 deadline. However, the schedules of the Parties' counsel and Ms. Kattwinkel conflicted, and Defense counsel has informed Plaintiffs' counsel that defendant Mei Ng was and currently is undergoing chemotherapy, making that deadline impossible to meet. Further, it is the intention of Defense counsel to obtain a Medical Release and discuss the diagnosis and prognosis of Mei Ng. If Mei Ng is, in the opinion of her treating physicians, unable to competently participate in all aspects of this litigation, a motion to continue the trial and all associated dates will be made by the undersigned Defense counsel.

Whereas, the parties request a further extension of time of three (3) months to mediate so that defendant Mei Ng can personally attend mediation. Otherwise, mediation will be meaningless without Ms. Ng's presence.

Whereas, Mei Ng trial in this matter is set for May 21, 2012. This further extension to complete mediation will not interfere with that trial date.

IT IS HEREBY STIPULATED by and between the Parties, through their respective attorneys of record and subject to order of the Court, that the time in which to complete mediation is to and including January 27, 2012.

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2 DATED:

KRIEG, KELLER, SLOAN, REILLY & ROMAN
LLP

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4 BY:

/S/

ANNE KEARNS, ESQ.

Attorney for Plaintiff

TIFFANY (NJ), LLC, a Delaware limited liability
company

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9 DATED:

VALERIAN, PATTERSON & STRATMAN

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11 BY:

/S/

JEFFERY G. NEVIN ESQ. (SBN 114295)

Attorney for Defendants,

MIKI BOUTIQUE, INC., a dissolved California
corporation; MEI NG, an individual, individually
and jointly, d/b/a YUKI BOUTIQUE

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16 I hereby attest that I have been authorized by Jeffrey Nevin to execute on his behalf this
17 Stipulation and Proposed Order Further Extending Mediation Deadline.

18 Executed on this 28th day of October, 2011 at San Francisco, California.

19 Dated: October 28, 2011

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

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21 By: _____/S/_____

ANNE KEARNS

Attorney for Plaintiff TIFFANY (NJ), LLC, a Delaware
limited liability company

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24 IT IS SO ORDERED.

25 Dated: October 28, 2011

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HONORABLE MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE